

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44371 of 2022

Arising Out of PS. Case No.-52 Year-2022 Thana- PARBATTI District- Khagaria

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Sonu Kumar Son Of Chandradeo Yadav R/O Village- Baisa, Ward No.-01,
P.S.- Maraiya O.P., District- Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh,Adv.

For the Opposite Party/s : Mr.Brajendra Nath Pandey,Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

3 01-02-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Parbatta P.S. Case No.52 of 2022, G.R. No.238 of 2022, registered for the offence punishable under Sections 25(1-b)a/26 of the Arms Act.

The allegation is regarding the police having apprehended the petitioner and upon search, one country made pistol and four live cartridges were recovered.

The learned counsel for the petitioner



has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 28.01.2022. The learned counsel for the petitioner has further submitted that the petitioner is an accused in five other cases, but he is on bail in all the said five cases. The learned counsel for the petitioner has also submitted that a sympathetic view be taken considering the period of incarceration of the petitioner herein.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, though I deem it fit and proper to admit the petitioner to the privilege of bail, however, subject to certain conditions, considering his bad antecedent.



Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate Ist, Khagaria, in connection with Parbatta P.S. Case No.52 of 2022.

It is further directed that the petitioner would mark his attendance before the Officer-in-Charge of the concerned police station on each Monday of the week at 10:30 am. and in the event of two consecutive defaults, the present privilege of regular bail, being granted to the petitioner herein, shall stand cancelled automatically.

(Mohit Kumar Shah, J)

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